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*Attorneys for Irving H. Picard, Trustee  
for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

SRIONE, LLC, an Idaho limited liability company;  
DANCING \$ LLC, a Montana limited liability  
company, and ERIC WALDMAN

Adv. Pro. No. 10-05380 (SMB)

Defendants.

**STIPULATION AND ORDER TO VACATE DEFAULT AND ENTER  
CASE MANAGEMENT NOTICE**

Plaintiff Irving H. Picard (the “Trustee”), as trustee of the substantively consolidated liquidation proceeding of Bernard L. Madoff Investment Securities LLC (“BLMIS”), under the Securities Investor Protection Act (“SIPA”), 15 U.S.C. §§ 78aaa et seq., and the estate of Bernard L. Madoff, individually, and defendants SRIONE, LLC, an Idaho limited liability company, DANCING \$ LLC, a Montana limited liability company, and ERIC WALDMAN (together, the “Defendants,” and, together with the Trustee, the “Parties”), by and through their respective undersigned counsel, state as follows:

**WHEREAS**, on December 9, 2010, the Trustee initiated the above-captioned adversary proceeding (the “Adversary Proceeding”) in the United States Bankruptcy Court for the Southern District of New York (the “Bankruptcy Court”) by filing a Complaint against the Defendants. *See Picard v. Srione, LLC, et al.*, Adv. Pro. No. 10-05380 (SMB), ECF No. 1;

**WHEREAS**, on April 2, 2012, the Defendants filed a motion to withdraw the reference. ECF No. 13;

**WHEREAS**, the Defendants did not file an Answer following the return of the Adversary Proceeding to the Bankruptcy Court on August 1, 2014. ECF No. 16;

**WHEREAS**, on January 15, 2016, Trustee requested that the Clerk of the Court of the Bankruptcy Court enter default against the Defendants for failing to file an Answer to the Complaint. ECF No. 17;

**WHEREAS**, on January 15, 2016, the Trustee served on the Defendants the request for the Clerk of the Court of the Bankruptcy Court to enter default against the Defendants for failing to file an Answer to the Complaint. ECF No. 18;

**WHEREAS**, on January 19, 2016, the Clerk of the Bankruptcy Court entered the default against the Defendants. ECF Nos. 19-21;

**WHEREAS**, on January 24, 2016, the Defendants filed an untimely Answer to the Complaint. ECF No. 22;

**WHEREAS**, the Parties have not been able to resolve the Trustee's claims asserted in the Adversary Proceeding without resorting to litigation;

**WHEREAS**, the Parties have agreed to the Case Management Order attached as Exhibit A hereto; and

**WHEREAS**, except as expressly set forth herein, the Parties to this Stipulation reserve all rights and defenses they may have and entry into this Stipulation shall not impair or otherwise affect such rights and defenses;

**NOW**, the Parties agree and stipulate, and the Bankruptcy Court hereby orders that:

1. The default is hereby vacated;
2. The Answer is hereby deemed timely filed;
3. The Case Management Order attached hereto as Exhibit A shall be entered.

Dated: May 18, 2017  
New York, New York

By: /s/ Keith R. Murphy  
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*Attorneys for Irving H. Picard, Trustee  
for the Substantively Consolidated SIPA*

*Liquidation of Bernard L. Madoff Investment  
Securities LLC and the Estate of Bernard L.  
Madoff*

By: /s/ Stephen M. Goldstein

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*Attorneys for Srione, LLC, an Idaho limited  
liability company, Dancing \$ LLC, a Montana  
limited liability company, and Eric Waldman*

**SO ORDERED**

Dated: May 18<sup>th</sup>, 2017  
New York, New York

/s/ STUART M. BERNSTEIN  
HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE